

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	10/055,421	DICKEN ET AL.
	Examiner Jacob Y. Choi	Art Unit 2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 8/2/2005.
2.  The allowed claim(s) is/are 13,17-21 and 23-32.
3.  The drawings filed on 1/22/2002 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

***Allowable Subject Matter***

1. The following is an examiner's statement of reasons for allowance:

Claim 13 recites a luminaire for illuminating an object, the luminaire comprising, a second chamber defined by a light emission window, a curtain, and a light transmitting side wall, and wherein, when that at least one tubular lamp is located within the first chamber, at least a portion of any light emitted by the at least one tubular lamp passes through the curtain into the second chamber with a first homogenous light distribution.

Claim 20 recites a luminaire for illuminating an object, the luminaire comprising, a curtain disposed within the second chamber and affixed to the carrier wall, and wherein, when the at least one tubular lamp is located within the first chamber, at least a portion of any light emitted by the at least one tubular lamp passes through the carrier wall into the second chamber with a first homogenous light distribution.

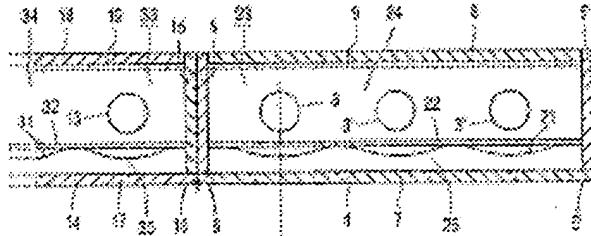
Regarding independent claims 13 and 20, because none of the references disclose the detailed limitations of the first and second chamber wherein, at least one tubular lamp is located within the first chamber, and portions of light emitted by the at least one tubular lamp passes through the curtain into the second chamber with a first homogenous light distribution, nor is there any motivation to combine them, the claims are deemed patentable over the prior art of record.

Claim 27 recites a lighting system for illuminating an object, the lighting system comprising, a first luminaire including a first homogenous light distribution chamber and a second homogenous light distribution chamber both defined by a first side wall, the second homogenous light distribution chamber further defined by a first light emission

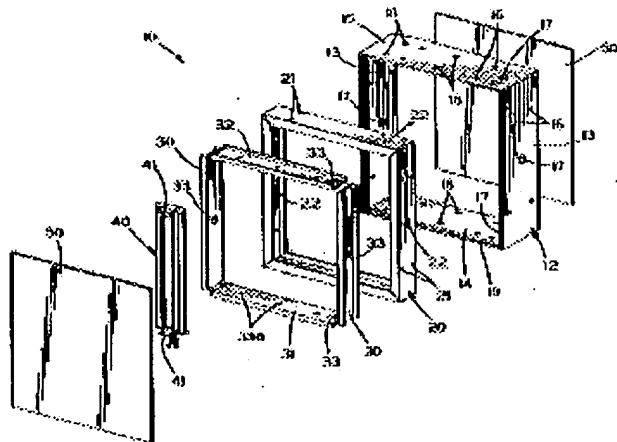
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window, and a second luminaire including a third homogenous light distribution chamber and a fourth homogenous light distribution chamber both defined by a side wall, the fourth homogenous light distribution chamber further defined by a second light emission window.

Because none of the references disclose the detailed structural limitations of the first and second chamber in first to fourth luminaire combined with a side wall include a light transmitting material, nor is there any motivation to combine them, the claims are deemed patentable over the prior art of record.



Grill et al. (USPN 6,042,243) teaches a first luminaire/chamber for accommodating at least one tubular lamp (40, 92), and a second chamber defined by a light emission window (50), a curtain (Figure 7), and sidewall (Figures 1, 2), wherein, when that at least one tubular lamp is located within the first luminaire/chamber at least a portion of any light emitted by the at least one tubular lamp passes through the curtain with a first homogenous light distribution, and wherein at least a portion of any light passing (any outside lights, sunlight) passes through the light emitting window with a second homogenous light distribution.



Claims 13, 17-21, and 23-32 allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Amendment***

2. Examiner acknowledges that the applicant has amended claims 13, 20, 21, 27, and 31, added claim 32 and cancelled claim 14.

## *Response to Arguments*

3. Applicant's arguments, see pages 9-14, filed 8/2/2005, with respect to drawings and pending claims have been fully considered and are persuasive. The drawing objections, claim objections, 35 USC 112, double patenting rejection, and 35 USC 103 of 5/3/2005 has been withdrawn.

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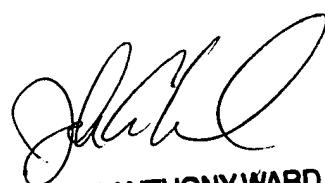
***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Y. Choi whose telephone number is (571) 272-2367. The examiner can normally be reached on Monday-Friday (10:00-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JC



JOHN ANTHONY WARD  
PRIMARY EXAMINER